

Behrooz P. Vida
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SUBCHAPTER V TRUSTEE
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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

IN RE:
TONY ALTON PENNINGTON
Debtor.

§
§
§

Case No. 22-20025-rlj-11
(Subchapter V)

**APPLICATION OF SUBCHAPTER V TRUSTEE
FOR POST-PETITION SECURITY DEPOSIT**

Behrooz P. Vida, Subchapter V Trustee (“Trustee”), files this his *Application for Post-Petition Security Deposit* (the “Application”), and in support would show the Court the following:

1. This Court has jurisdiction pursuant to 28 U.S.C. §§ 1334 and 157.
2. This is a core proceeding.
3. This Application is filed pursuant to 11 U.S.C. §§ 105, 330.
4. Tony Alton Pennington is the debtor in this proceeding (the “Debtor”).
5. On February 11, 2022, this case was filed under Chapter 11 of the Bankruptcy Code.
6. Debtor has opted to be treated as a Subchapter V debtor.
7. On February 14, 2022, Trustee was appointed.
8. On February 25, 2022, Debtor filed his schedules. [See ECF No. 20]. In his Schedules I and J [See ECF No. 20, Pages 26 through 32 of 35], Debtor discloses that after deduction of his expenses he has the sum of \$1,161.46 left over each month.
9. It is Trustee’s understanding that the Bankruptcy Judges in the Northern District of

Texas are inclined in the near future to amend the current Scheduling Order and

Notice of Status Conference to require that a Subchapter V Trustee within 30 days of the petition date and continuing monthly thereafter receive from a debtor the sum of \$1,000.00 per month. There are already similar measures in place in other districts in other states.

10. The Scheduling Order and Notice of Status Conference issued in this case does not provide for Interim Trustee Compensation.
11. Pursuant to this Application, Trustee requests a post-petition security deposit of \$900.00 from debtor until such time that an order confirming Debtor's proposed plan is entered, the case is converted to another Chapter or the case is dismissed.
12. Trustee requests that the funds be paid in certified funds and shall be held in a Subchapter V Trustee bank account until further order of this Court. The Subchapter V Trustee bank account will meet the guidelines set by the United States Trustee's Office
13. Trustee requests that the first monthly security deposit to be paid to Trustee within 7 days following entry of an order approving the Application.
14. Trustee shall deposit each and every monthly security deposit into a Subchapter V Trustee bank account, and the funds shall remain in the account until further order of this Court.

WHEREFORE, PREMISES CONSIDERED, the Trustee prays that this Application be approved by this Court under the terms specified above, and for such other and further relief to which he may show himself to be justly entitled.

Respectfully submitted:

By: /s/ Behrooz P. Vida March 7, 2022
Behrooz P. Vida
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CERTIFICATE OF CONFERENCE

On 3/7/2022 a conference was held via e-mail with Debtor's counsel, Jeff Carruth, the motion is opposed and is being presented for determination by the Court.

By: /s/ Behrooz P. Vida March 7, 2022

Behrooz P. Vida

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and forgoing instrument was served on the date that the instrument was filed electronically. Service was accomplished electronically to upon those parties receiving electronic notice in this case and/or via United States first class mail, postage prepaid, upon the parties on the attached service list.

/s/ Behrooz P. Vida March 7, 2022

Behrooz P. Vida

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